

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	2:13-CR-148-JAD-GWF
)	
JULIO DE ARMAS DIAZ, et al.)	MINUTES OF THE COURT
)	
<u>Defendant(s).</u>)	DATED: <u>April 30, 2014</u>

PRESENT: HONORABLE JENNIFER A. DORSEY, UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: Donna Sherwood REPORTER: Felicia Zabin

COUNSEL FOR PLAINTIFF(S): Daniel Schiess, Christina Brown

COUNSEL FOR DEFENDANT(S): Kathleen Bliss, Daniel Hill,
Brenda Weksler, Raquel Lazo,
Osvaldo Fumo, Thomas Pitaro

CERTIFIED INTERPRETERS: Cristina Sanchez, Estela Castro,
German Santanilla

PROCEEDINGS: **JURY TRIAL (DAY 3)**

9:10 a.m. Court convenes outside the presence of the jury.
Defendants are present in custody.

The Court hears the arguments of Ms. Weksler and Mr. Schiess on [211] Motion to Exclude Photographic Image Regarding Cellular Phone Number 702-606-8427 as Evidence at Trial filed by Defendant Diaz.

The Court finds the motion stands submitted.

9:25 a.m. Court reconvenes in the presence of the jury. All parties are present.

STEVEN MICHAEL MILLS, called on behalf of the Government, affirms and testifies on direct examination by Mr. Schiess, cross examination by Mr. Fumo, then is excused. **Government's Exhibits 12C, 27C, 67 marked and admitted in evidence.**

PAUL MICHAEL COSTALES, called on behalf of the Government, is sworn and testifies on direct examination by Mr. Schiess, then is excused. **Government's Exhibits 12A, 12D, 27A, 27E, 66A, 66B, 66C, 18A, 18B, 17 marked and admitted in evidence.**

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On the stipulation of counsel, the contents of Government's Exhibit 17, which is marked as Government's exhibit 17A, will not go back to the jury.

10:40 a.m. Jury admonished and excused.

The Court hears further arguments of Mr. Schiess on [211] Motion to Exclude Photographic Image Regarding Cellular Phone Number 702-606-8427 as Evidence at Trial filed by Defendant Diaz.

10:45 a.m. Court stands at recess.

11:15 a.m. Court reconvenes outside the presence of the jury. All parties are present.

The Court places its findings on the record and **DENIES** [211] Motion to Exclude Photographic Image Regarding Cellular Phone Number 702-606-8427 as Evidence at Trial filed by Defendant Diaz.

MICHAEL EASTER, called on behalf of the Government, is sworn and testifies on direct examination by Mr. Schiess. **Government's Exhibits 19, 19A, 22B, 22D, 22E, 23A, 24A, 24B are marked and admitted in evidence.**

Mr. Schiess reads a stipulation by the parties into the record.

IT IS ORDERED Government's Exhibits 50, 50A through 50E are marked and admitted in evidence.

12:02 p.m. Jury admonished and excused. Court stands at recess.

1:14 p.m. Court reconvenes in the presence of the jury. All parties are present.

MICHAEL EASTER, having previously been sworn, resumes the stand and testifies further on direct examination by Mr. Schiess, cross examination by Ms. Bliss and Ms. Weksler. **Government's Exhibits 20, 20A, 21 marked and admitted in evidence.**

2:15 p.m. Jury admonished and excused. Court stands at recess.

2:30 p.m. Court reconvenes outside the presence of the jury. All parties are present.

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Ms. Bliss objects to the testimony of Jose Rubio, the delivery truck driver.

The Court hears the arguments of counsel and rules as stated on the record.

2:39 p.m. Court reconvenes in the presence of the jury. All parties are present.

MICHAEL EASTER, having previously been sworn, resumes the stand and testifies further on cross examination by Mr. Pitaro, redirect examination by Mr. Schiess, then is excused.

JOSE JESUS RUBIO, called on behalf of the Government, is sworn and testifies on direct examination by Ms. Brown, cross examination by Ms. Bliss, then is excused. **Government's Exhibits 76A, 76B marked and admitted in evidence.**

IT IS ORDERED the jury trial is continued to Thursday, May 1, 2014, at 9:00 a.m.

3:55 p.m. Jury admonished and excused.

The Court hears the representations of counsel on the proposed limiting instructions to be given to the jury as to the April 4th and April 7th calls.

The Court and counsel confer on other evidentiary issues relating to Mr. Del Toro.

4:45 p.m. Court adjourns.

LANCE S. WILSON, CLERK

United States District Court

By: /s/
Donna Sherwood, Deputy Clerk